

On May 8, 1931, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18474. Adulteration and misbranding of almond oil. U. S. v. Twenty-eight 1-Gallon Cans of Almond Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28059. I. S. No. 5766. S. No. 4347.)

Examination of samples of almond oil from the shipment herein described having shown that the article fell below the requirements of the United States Pharmacopoeia, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On March 26, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of twenty-eight 1-gallon cans of almond oil at San Juan, P. R., alleging that the article had been shipped by Yglesias & Co. (Inc.), New York, N. Y., on or about November 22, 1930, to San Juan, P. R., and that it was being offered for sale and sold in Porto Rico by the Drug Co. of Porto Rico, San Juan, P. R., and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that it consisted of an oil or oils other than almond oil.

It was alleged in the libel that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said pharmacopoeia. Adulteration was alleged for the further reason that the strength and purity of the article fell below the professed standard of quality under which it was sold, in that it was represented to be "U. S. Standard * * * Pure Almond Oil."

Misbranding was alleged for the reason that the statement "U. S. Standard * * * Pure Almond Oil," borne on the label, was false and misleading; and for the further reason that the article was offered for sale and sold under the name of another article.

On May 5, 1931, no claimant having appeared for the article, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18475. Misbranding of Cerevisine tablets. U. S. v. 2 Dozen Bottles of Cerevisine Tablets. Default decree of destruction entered. (F. & D. No. 28060. I. S. No. 11746. S. No. 4349.)

Examination of a drug product, known as Cerevisine tablets, having shown that the carton and bottle labels bore a statement representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported to the United States attorney for the Southern District of California the shipments herein described, involving a quantity of the product located at Los Angeles, Calif.

On March 27, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 2 dozen bottles of Cerevisine tablets, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by E. Fougera & Co. (Inc.), from New York, N. Y., in part on or about September 3, 1930, and in part on or about January 31, 1931, and had been transported from the State of New York into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of desiccated yeast plants.

It was alleged in the libel that the article was misbranded in that the statement "For treatment of * * * Diabetes," appearing on the carton and bottle, was false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 8, 1931, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*